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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Andrew Frazier, et al.)
App. No.	:	10/771,845)
Filed	:	February 4, 2004)
For	:	PATENT FORAMEN OVALE CLOSURE SYSTEM) ')
Examiner	:	Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION AND REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this

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herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

ev3 Sunnyvale, Inc.

Dated: 10 Feb 2004

Rich Kusleika

Title: Director of Intellectual Property & Design

Services, Research & Development

Address: 4600 Nathan Lane North

Plymouth, MN 55442

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ASSIGNMENT

WHEREAS, We, Andrew G.C. Frazier, a United States citizen, residing at 517 Fern Ridge Court, Sunnyvale, California, 94087, Alan R. Klenk, a United States citizen, residing at 4851 Clarendon Drive, San Jose, California, 95129, Alexander K. Khairkhahan, a United States citizen, residing at 1105 Lincoln Avenue, Palo Alto, California, 94301, Chad C. Roue, a United States citizen, residing at 845 Posada Way, Fremont, California, and Erik J. van der Burg, a United States citizen, residing at 587 Dawn Drive, Sunnyvale, California, 94087, have invented certain new and useful improvements in a PATENT FORAMEN OVALE CLOSURE SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, ev3 Sunnyvale, Inc. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 777 North Pastoria Avenue, Sunnyvale, California, 94086, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

protection for said improvements in all countries.
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this day of
and the second s
Andrew G. C. Fyazier
STATE OF California
COUNTY OF Santa Clare ss.
On 726, 1007, before me, 200 personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.
WITNIEGG 1 - 1 - 07 - 1 - 1

WITNESS my hand and official seal.

[SEAL]

LOU POULAIN
Commission # 1318721
Notary Public - California
Santa Clara County
My Comm. Expires Aug 24, 2005

Notary Signature

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 5th day of February, 2004.

•	· · · · · · · · · · · · · · · · · · ·
	Alan R. Klenk
COUNTY OF Herriper ss.	
COUNTY OF Henreper	
On 5 of teb 200 before me, Ale personally known to me (or proved to me on the basis of sto the within instrument, and acknowledged to me that he signature on the instrument the person, or the entity upon be	R. Klenk, personally appeared Alan Klenk R. satisfactory evidence) to be the person whose name is subscribed e executed the same in his authorized capacity, and that by his behalf of which the person acted, executed the instrument.
WITNESS my hand and official seal.	α
DIAN M BOLTE Notary Public Minnesota My Commission Expires 1/31/2005	Man M. Bolfe Notary Signature
IN TESTIMONY WHEREOF, I hereunto set my	hand and seal this day of, 2004.
	-
	Alexander K. Khairkhahan
STATE OF	
COUNTY OF Ss.	· .
is subscribed to the within instrument, and acknowledged	the basis of satisfactory evidence) to be the person whose name to me that he executed the same in his authorized capacity, and ne entity upon behalf of which the person acted, executed the
WITNESS my hand and official seal.	c
[SEAL]	
	Notary Signature

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IN TESTIMON	Y WHEREOF, I hereunto set	my hand and seal this	day of	, 2004.
	•		•	
		Alan R. Klenk	•	
STATE OF	j	•		<i>,</i>
COUNTY OF	} ss.			
On	, before me,		, personally app	eared Alan Klenk R
to the within institution,	or proved to me on the basis and acknowledged to me that the person, or the entity up	1at he executed the same	in his authorized car	nacity and that he his
	and and official seal.	os water po	toon actou, executed t	ne msuament.
[SEAL]				
		Notary Signature		
	WHEREOF, I hereunto set	Aux	Ida	, 2004.
	•	Alexander K. Kh	alrkhahan	
STATE OF Californ		\		
STATE OF Californ	Clark ss.	• .		
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successful to the within H	strument, and acknowledged rument the person, or the en	I to me that he executed t	he came in his author	izad samanitra a
	nd and official seal.			
[SEAL]	•			د
		Notary Signature		•
1	LOUDOUR AIN B			

Commission # 1318721
Notary Public - California
Santa Clara County
My Comm. Expires Aug 24, 2005

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IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 6th day of 7elving, 2004. Chad C. Roue STATE OF California
COUNTY OF Santa Clara On Fet 6,2004, before me, Lou Toclain , personally appeared Chad C. Roue personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. WEINESS my hand and official seal LOU POULAIN [SEAL] Commission # 1318721 Notary Public - California Notary Signature Santa Clara County My Comm. Expires Aug 24, 2005 IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ____ day of __ Erik R. van der Burg STATE OF SS. COUNTY OF _, before me, _____, personally appeared Erik R. van der Burg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature(s) on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal. [SEAL] Notary Signature

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02/10/2004	TUE	17:00	FAX	76339 7200
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IN TESTIMONY WHEREOF, I hereunto set my i	hand and seal this day of	, 2004.
	Chad C. Roue	
STATE OF	07 TOTAL	
COUNTY OF ss.		·
On, before me,	nergonally ermonand	OLIA N
personally known to me (or proved to me on the basis of sa to the within instrument, and acknowledged to me that he signature on the instrument the person, or the entity upon bel WITNESS my hand and official seal.	tisfactory evidence) to be the person whose na executed the same in his authorized capacity half of which the person acted, executed the ins	Chad C. Roue une is subscribed to the character of the ch
[SEAL]	•	
	Notary Signature	
IN TESTIMONY WHEREOF, I hereunto set my har		2004.
STATE OF Colfornia COUNTY OF Son Moteo } 55.	Brik J, van der Burg	
personally known to me (or proved to me on the basis of satistic to the within instrument, and acknowledged to me that he ensignature(s) on the instrument the person, or the entity upon be	factory evidence) to be the person whose name accuted the same in his authorized capacity, whalf of which the person nated area and in the person nated area.	16 is subscribed
WITNESS my hand and official seal. [SEAL]	Notary Signature	strument.
SHL-9000.DOC: A Commission # 1464704 Notary Public - California San Mateo County Expires Feb 17, 2008	JANET M. LEAVITT Commission # 1464704 Notary Public - California San Mateo County My Comm. Expires Feb 17, 2008	